

REMARKS

Claims 1-16, 33 and 34 are pending in this application. By this Amendment, the specification is amended. No new matter is added. These remarks follow the order of the outstanding Office Action beginning at page 2.

Specification

The disclosure has been objected to on the ground that it includes translation errors. Applicant has reviewed the cited portions of the specification, and has accordingly amended the referenced paragraphs.

Claim Rejections - 35 U.S.C. §103

Claims 1, 2, 4-16 and 33-34 have been rejected as being unpatentable over Giobbi '635. This rejection is respectfully traversed for the reasons which follow.

Giobbi '635 only discloses use of a portable data unit 14 which has a transceiver 16 which communicates only with a transceiver 18 located in a gaming machine 10. The portable data unit includes a second wireless transceiver which communicates with the first wireless transceiver (Abstract, lines 2-4). In the Giobbi disclosure, the portable data unit is therefore able to communicate with the gambling machine in a wireless manner thereby avoiding insertion of the PDU into the machine. Information is therefore transmitted between the PDU and the gaming machine by way of the wireless transmission link (Abstract). In Giobbi, when it is necessary to communicate with a device for changing the amount of credit on the PDU card, a machine such as an ATM (60) receives the PDU and dispenses the PDU at slot 62. The PDU cannot communicate wirelessly with the ATM 60.

The only concept demonstrated by Giobbi is use of a player operated portable data unit which can communicate wirelessly with the gaming machine 10. The problem solved by Giobbi is convenient use of the PDU by the player.

Applicant's claimed invention, however, relates to an entirely different problem. In Applicant's claimed invention, the transmitting/receiving device has a different purpose which is allowing a gaming system to operate in an entirely different and new manner. Namely the advantage and problem solved by Applicant's invention is allowing a floor staff member to more efficiently carry out arcade functions [0010]. The purpose is to improve the efficiency in work of the floor staff member [0011].

It is therefore readily apparent that the Applicant's device is for use of the floor staff member, and not for use of the player. Applicant's system is not designed for use of the player, and does not receive player PDU generated communications at the plurality of locations stated in Applicant's claims. These locations are the terminal, the gaming machine, the mobile terminal, and an information managing apparatus in the facility. The last thing that one would wish to include with the PDU player operated device of Giobbi is an ability to communicate with the mobile terminal or the information managing apparatus which is placed in the facility because these are for floor staff.

Another problem solved by Applicant's invention is the elimination of hardwiring between various portions of a gaming facility. In contrast, the only transmitting and receiving occurring in Giobbi is between the player and a single machine. This does not suggest any advantage in eliminating hardwiring at a gaming facility.

In Applicant's claims, Applicant claims the transmitting/receiving device which transmits and receives a predetermined information to or from four separate areas. These are the terminal, the gaming machine, the mobile terminal and an information managing apparatus. In Applicant's specification at page 40, paragraph [0229], Applicant teaches as follows "the wireless communication terminal unit and the gaming machine can be integrated together when connecting the wireless communication terminal unit." There is no teaching or suggestion in Giobbi which would teach the integration of the various functions of a gaming

facility by use of the claimed transmitting receiving device which can communicate with four different devices in the facility, not just one as in Giobbi.

In the outstanding Office Action, the Examiner has predicated all rejections based upon the following statement:

"Giobbi does not explicitly disclose that the wireless transceiver also communicates with the server; however, one skilled in the art would recognize that combining the wireless transceiver and the network transceiver would be obvious as such a modification would be mere integration of parts into one keeping the same functions of the individual components."

In this part of the rejection, the Examiner has exercised pure hindsight based upon the integration teaching found only in Applicant's specification at page 40, paragraph [0229].

Still further, in the above stated rejection the Examiner has not addressed all of the limitations of even claim 1 which requires not only combining the wireless transceiver and the network transceiver but with other named items. Applicant's claim 1, as noted above list four separate items namely the gaming machine, the mobile terminal, and an information managing apparatus placed in the facility. The claims use the word "and," not --or--.

The Examiner asserts that it would be obvious to use the PDU owned by a player to communicate with a network transceiver. However, such transceiver communication should be permitted only by gaming facility floor staff, and not by players.

The "integration of parts" argument asserted by the Examiner as a basis for non-obviousness is clearly not permissible. This is knowledge gleaned from Applicant's disclosure and pursuant to MPEP §2145X.A. is impermissible. In the outstanding Office Action, the Examiner has failed to provide any rationale for the determination of obviousness. The only rationale put forth is applicant's disclosed "integration." This does not satisfy any of the possible rationales for obviousness as set forth in MPEP §2143A.-G.

Same Functions

Next in the Office Action, the Examiner asserts that the same functions of individual components is maintained. This assertion is respectfully traversed. Applicant provides the additional function of allowing the claimed gaming machine mobile terminal and information apparatus to communicate wirelessly with the transmitting receiving device. The information related to the gaming system is therefore different from Giobbi. All Giobbi discloses is communication between the player and the gaming machine. The information contained with Giobbi's system is scoring or money. In contrast, Applicant's communications relate to gaming system functions and operation of a gaming establishment. Applicant's communication allows the floor staff members to carry out arcade functions and operations. These are not the functions that are carried out by the player who has a PDU which can only communicate with the gaming machine. Applicant's invention on the other hand provides an improvement of the efficiency in work of floor staff members [0011]. The functions are clearly different. This is the reason that in the claims, Applicant requires that there be information signals to and from the terminal, the gaming machine, the mobile terminal, and the information managing apparatus in the facility. These four separate communications are necessary in order to utilize the functions of Applicant's claimed inventions by floor staff members who work using the claimed gaming system.

Synergistic Result

In this rejection, the Examiner failed to recognize that there is a synergistic result produced by Applicant's claimed invention of communicating with all four elements in the gaming system. Namely, this is ease of the gaming system floor personnel as explained in the Applicant's specification. The elements in the claim combination do not perform this function that each element forms separately. See MPEP §2141V.(B).

Benefit of Applicant's Specification

The outstanding Office Action would rearrange the parts of Giobbi, provide wireless communication where there is none (see Fig. 2 which shows only one wireless communication link between 16 and 12) and would impart functions to Giobbi which simply do not exist. Without the benefit of Applicant's specification this wholesale rearrangement of the parts and addition of functions of Giobbi could not have been achieved. The Examiner's rejection is therefore traversed and Applicant relies upon MPEP §2144.04V.(C).

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-16, 33 and-34 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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